

Appl No. 10/674,097
Amd. Dated November 21, 2006
Reply to Office Action of June 21, 2006

REMARKS:

The Office Action dated June 21, 2006 has been received and carefully reviewed. Reconsideration of the present application is respectfully requested in view of the above amendments and the remarks below.

Claims 2-13 and 16-26 are pending in the present application, with Claims 3, 4, 13, 20, 22, and 24 in independent format. Claims 1, 14, 15, 22, and 23 are canceled without prejudice; and Claims 2-13, 16-18, 20, 21, and 24-26 have been amended. In particular, Claim 3 has been rewritten in independent form, and Claims 2 and 5-12 have been amended to depend from Claim 3.

Applicant notes with appreciation the Examiner's indication that Claim 4 would be considered allowable if rewritten independently and amended to overcome the rejection under 35 U.S.C. 112, second paragraph. Claim 4 has been rewritten to include all elements of parent Claim 1. Additionally, the language of Claim 4 has been amended to recite that the second end of the bracket web is adapted for joining to one of the girders and that the bracket flanges are fastened to one of the end members of the panel frame for joining the end member to one of the girders. As amended, Claim 4 is intended to define the panel assembly without positive recitation of the girders. Amended Claim 4 is now believed to be in condition for allowance.

Claims 2-12, 20 and 21 were rejected under 35 U.S.C. 112, second paragraph because of ambiguous references to girders in the claims. Claim 3, from which Claims 2

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and 5-12 depend, has been amended to avoid positive recitation of the girders. In contrast, Claim 20 has been amended to positively recite the combination of a panel system and horizontally extending girders. Applicant believes that these amendments to Claims 3, 4, and 20 bring them, and dependent Claims 2, 5-12, and 21, into compliance with §112, second paragraph.

Claim 3 has been written in independent form and, as amended, calls for a modular roof and panel assembly comprising: a plurality of structural members including a pair of elongated frame side members and a pair of elongated frame end members, each of the side members and end members having a planar side surface; the side members and end members being joined at their ends to form a rectangular panel frame with planar outer perimeter surfaces, a top side, and a bottom side; a deck member secured to the top side; and a bracket member secured to one of the end members and extending therefrom for connecting the end member to a girder.

Claim 3 was rejected under 35 U.S.C. 102(b) as anticipated by Trimmer 3,447,771. Trimmer discloses concrete form panels in which the panels are connected in side-by-side relation by pins 18, with wedges 24 retaining the pins 18 in place. Liners 28 are provided for holes in the sheet metal side walls of the forms to protect the holes from damage caused by hammering the wedges 24 into and out of the pins 18. The liners 28 are supported in place by plates 30, to which they are welded. The plates 30 and liners 28 are disclosed for use in connecting the form panels together; however, there is no

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disclosure or suggestion in Trimmer that the plates 30 and liners 28 extend from ends, or even sides, of the forms or that the plates and liners are used for connection of the form panels to other structural members, as is specifically called for in Claim 3. Applicant urges that the liner and plate 28/30 of Trimmer does not anticipate or make obvious a bracket extending from an end member of a panel assembly for connection of the panel assembly to a girder, as called for in Claim 3. Therefore, applicant believes that Claim 3 should allowable.

Claims 2 and 5-12 have been amended to depend from Claim 3. These claims add features to the panel assembly defined by Claim 3 and are believed to distinguish over the cited references for the same reasons as Claim 3.

Claim 13 is an independent claim and, as amended, calls for modular roof and floor panel assemblies in combination with parallel, horizontally extending girders, each assembly comprising: a plurality of structural members including a pair of elongated frame side members and a pair of elongated frame end members, each having a planar surface; the side and end members being joined at their ends to form a rectangular panel frame with planar outer perimeter surfaces, a top side, and a bottom side; a deck secured to the top side of the frame; each panel assembly being positioned on a pair of adjacent girders and having first fasteners connecting end members thereof to the girders; and adjacent panel assemblies positioned on a same girder having end members thereof connected by second fasteners.

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Claim 13 was rejected under 35 U.S.C. 102(b) as anticipated by Watson 4,603,532. Referring to Fig. 4 of Watson, end members 8 of panels 2 are supported by girders 18 and have their lower flanges fastened to the common girder. However, there is no disclosure or suggestion of a fastener connecting adjacent end members 8 of panels 2 to each other, as called for in Claim 13. Therefore, applicant urges that Claim 13 should be allowable over Watson and the other cited art.

Claims 16-19 depend from Claim 13, add features thereto, and are believed to distinguish over the cited references for the same reasons as Claim 13. Amendments were made in Claims 16-18 for consistency of language and to correct a minor grammatical error.

Claim 20 is an independent claim and, as amended, calls for a modular roof and floor panel system in combination with parallel, horizontally extending girders, using panel assemblies similar to the assembly defined in Claim 3, including a respective bracket member secured to each of the end members of the panel assemblies and extending therefrom by which the panel assemblies are joined to the girders. Additionally, Claim 20 calls for panel frames to be joined in side-by-side relation by way of adjacent side members of the frames.

Claim 20 was rejected under 35 U.S.C. 102(b) as anticipated by Watson. However, the addition of the bracket member extending from the end members for use in

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connection of the panel assemblies to the girders is believed to distinguish Claim 20 over Watson or any combination of Watson with Trimmer or the other cited references.

Claim 21 depends from Claim 20, adds details thereto, and is believed to distinguish over the cited references for the same reasons as Claim 20.

Claim 24 is an independent claim, has been amended, and calls for a method of assembling a roof and floor deck comprising the steps of: providing a plurality of prefabricated roof and floor deck assemblies similar to those defined in Claim 3, including a respective bracket member secured to each of the end members and extending therefrom; lifting and positioning a first assembly on and spanning between a pair of existing girders; fastening each of the first assembly end members to a respective one of the girders using the bracket members; lifting and positioning a second prefabricated assembly on and spanning between the girders in side-by-side relationship with the first assembly; fastening each of the second assembly end members to the girders using the bracket members; and fastening one of the first assembly side frame members with an adjacent one of the second assembly side frame members.

Claim 24 was rejected under 35 U.S.C. 102(b) as anticipated by Watson. Claim 24 has been amended to recite the bracket member extending from each of the end members for use in connection of the panel assemblies to the girders. Applicant urges that neither Watson nor Trimmer discloses or suggests assembling a roof and floor deck on existing girders using brackets extending from end members of prefabricated panel

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assemblies to connect the assemblies to the girders, as is called for in Claim 24.

Therefore, applicant believes that Claim 24 distinguishes over Watson or any combination of Watson with Trimmer or the other cited references and should be allowable.

Claims 25 and 26 depend from Claim 24, add steps thereto, and are believed to distinguish over the cited references for the same reasons as Claim 24.

Claims 2-13, 16-21, and 24-26 are presented for reconsideration. Applicant contends that said claims call for prefabricated roof and floor panel assemblies and methods for assembling them onto girders which are not disclosed by or obvious from any of the references of record, either singly or in combination. Therefore, the allowance of Claims 2-13, 16-21, and 24-26 is earnestly solicited.

The Examiner is invited to contact Applicant's attorney at the telephone number listed below in the event it is felt the prosecution of this application can be expedited thereby.

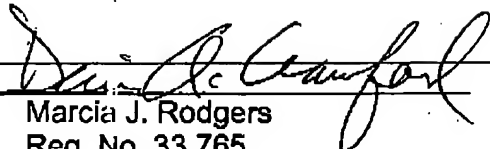
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